



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

April 20, 2023

BY ECF AND EMAIL

The Honorable Lorna G. Schofield
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

The Honorable Jennifer E. Willis
United States Magistrate Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: ***United States v. Bruce Silva, et al., 23 Cr. 204 (LGS)***

Dear Judge Schofield and Judge Willis:

In advance of the presentments that are expected to occur later today, the Government respectfully submits this letter to provide the Court and defense counsel with a summary of the charges unsealed today in Indictment 23 Cr. 204 (LGS) (the "Indictment") and the basis for the Government's motion for pretrial detention for each defendant.

The Indictment charges ten defendants. Each defendant is a member of the violent street gang that calls itself "Dub City," which is associated with the Mac Baller gang, and based in and around the Morris Heights and Mount Hope area of the Bronx ("Dub City" or the "Dub City Enterprise"). As described in the Indictment and in further detail below, from at least in or about 2019 through the present, the Dub City Enterprise engaged in attempted murders, assaults with a dangerous weapon, robberies, frauds, firearms possession, and narcotics trafficking in the Bronx. All of the defendants in this case are charged in a racketeering conspiracy for conducting the affairs of Dub City through multiple racketeering predicates, a narcotics conspiracy, and possessing a firearm in furtherance of the narcotics conspiracy, and five of the defendants are charged with various violent crimes in aid of racketeering, including eight attempted murders and assaults with a dangerous weapon.

This letter describes the facts as to all ten defendants, and the following defendants are expected to be presented today in this District: BRUCE MELVIN, JORDAN BENNETT, ELIJAH POUGH, GIOVANNI RODRIGUEZ, ALZUBAIR SALEH, and EMMANUEL PEREZ.

The facts described below come from, among other sources, surveillance video, New York City Police Department (“NYPD”) reports, publicly available social media posts, records and communications obtained from judicially-authorized search warrants for social media accounts and electronic devices, and anticipated witness testimony.

I. Procedural Background

On April 18, 2023, the Grand Jury returned a sealed 20-count superseding indictment (the “Indictment”) charging ten defendants—BRUCE SILVA, BRUCE MELVIN, JORDAN BENNETT, ELIJAH POUGH, SHADELL MCBRIDE, JUSTIN BALLESTER, ALZUBAIR SALEH, GIOVANNI RODRIGUEZ, GABRIEL VALDEZ, and EMMANUEL PEREZ (the “defendants”)—with, variously, the following crimes: (i) racketeering conspiracy (Count One), (ii) attempted murder and assault with a dangerous weapon in aid of racketeering (Counts Two, Four, Six, Nine, Eleven, Thirteen, Fifteen, and Seventeen), (iii) discharge of a firearm in connection with a crime of violence and a drug trafficking crime (Counts Three, Five, Seven, Ten, Twelve, Fourteen, Sixteen, and Eighteen), (iv) accessory after the fact to attempted murder and assault with a dangerous weapon in aid of racketeering (Count Eight), (v) narcotics conspiracy (Count Nineteen), and (vi) firearm possession in connection with a drug trafficking crime (Count Twenty).

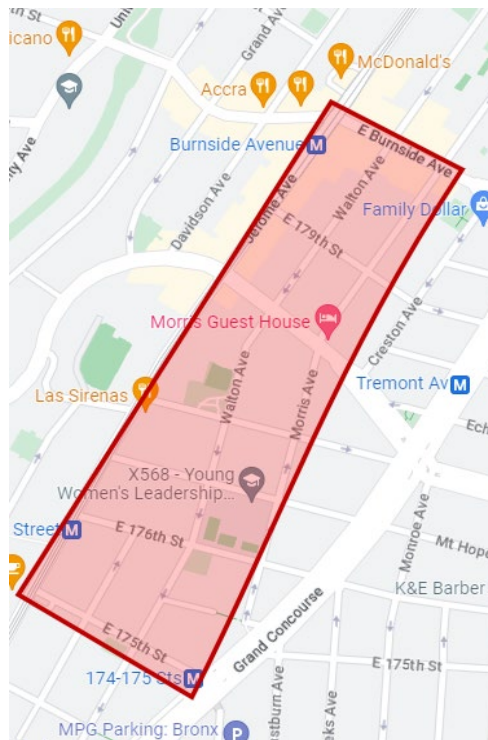
MELVIN, BENNETT, POUGH, RODRIGUEZ, SALEH, and PEREZ were all arrested this morning and are expected to be presented today in this District. SILVA and MCBRIDE are already detained in federal custody in connection with related felon-in-possession-of ammunition charges in this District concerning shooting incidents on August 13, 2019, and June 20, 2022, respectively, which form the basis for several of the charges in the Indictment, as discussed further below.¹ VALDEZ is currently in state custody and will be taken into federal custody soon to face these charges. BALLESTER is currently at large.

II. The Racketeering Enterprise

The Dub City Enterprise is a violent street gang located in the Mount Hope and Morris Heights areas of the Bronx, New York. Dub City members refer to themselves and their associates as “Dub City,” telling others, for example, “I’m Dub City.” Members also indicate their membership through a specific Dub City hand sign, handshake, tattoos, and music videos, among other things. Several members of Dub City are also members of the Mac Ballers, a larger set of the Bloods gang.

Geographically, Dub City controls the vicinity of East 175 Street to East Burnside Avenue, between Jerome Avenue and Morris Avenue. A map of Dub City’s territory is included below:

¹ See *United States v. Bruce Silva*, No. 22 Cr. 347 (PGG) (S.D.N.Y.); *United States v. Shadell McBride*, No. 22 Cr. 484 (JSR) (S.D.N.Y.).



Dub City's main source of income is derived from robberies, fraudulent financial crimes, and the sale of controlled substances, including fentanyl, heroin, cocaine, oxycodone, and marijuana. Members of Dub City, including the defendants, work together to commit those crimes. With respect to drug trafficking in particular, Dub City prohibits non-gang members from selling narcotics in their territory and enforces its control through violence and fear.

Dub City has become embroiled in violent rivalries with other street gangs that control adjacent territory. These rivalries have resulted in numerous retaliatory shootings. Members of Dub City who commit violent acts, especially against rival gang members, are rewarded with respect and status in the gang. Recently, some members of Dub City have begun vying for control of the gang. This has resulted in assaults and shootings among Dub City members as well.

Members of Dub City seek to dominate completely the area in the Bronx where they operate through fear, violence, and crime. In doing so, they regularly put the safety of that community at risk. Defendant BRUCE MELVIN's voice note to another member of Dub City from in or about January 2022 encapsulates well the gang's desire to dominate their territory:

Bro I'm Dub City Bro, that whole area my block bro. Any n**** that's really Dub City that really put on for this shit gonna tell you the same thing im telling you brother. The whole area Walton that whole shit is ours brother.

III. The Defendants

Each of the defendants played a key role in the Dub City Enterprise. All of them have engaged in racketeering, drug trafficking, possessing a firearm in furtherance of their drug trafficking, and, variously, fraud, robberies, and violence. Five of the ten defendants also were involved in eight shootings, each of which has been charged in the Indictment as an attempted

murder and assault with a dangerous weapon in aid of racketeering. Accordingly, every defendant faces a mandatory minimum sentence of at least five years imprisonment, including one defendant who faces a mandatory minimum of 15 years imprisonment, one defendant who faces a mandatory minimum of 25 years imprisonment, and two defendants who face a mandatory minimum of 35 years' imprisonment.²

1. BRUCE SILVA

Prior to his arrest and incarceration in *United States v. Bruce Silva*, No. 22 Cr. 347 (PGG), BRUCE SILVA attempted to exert control of Dub City as its leader. He committed numerous criminal acts in furtherance of the Dub City Enterprise, including several shootings. One of those shootings caused the permanent paralysis of an innocent bystander. SILVA has also been involved in robberies, fraud, and drug trafficking in furtherance of the Dub City Enterprise. On the current charges, SILVA is facing a mandatory minimum sentence of 35 years' imprisonment.

SILVA was involved in at least three shootings in furtherance of the Dub City Enterprise, all of which are charged in the Indictment as attempted murders and assaults with a dangerous weapon in aid of racketeering.

On August 13, 2019, at approximately 3:45 a.m., SILVA fired several gunshots at three men in a vehicle outside a bodega in the vicinity of 105 East 175th Street in the Bronx, in Dub City territory, striking the driver in the back and permanently paralyzing him. The victim has identified SILVA in a photo array and, in an electronic message SILVA sent in September 2019, obtained pursuant to a search warrant, SILVA confirmed that he was shooting at a suspected rival gang member who was affiliated with the Crips gang. A video clip of the shooting is attached as Exhibit A, and a screenshot of SILVA firing his gun is included below.



² Where, as here, a defendant is charged with (i) a controlled substance offense with a maximum term of imprisonment that is greater than ten years and (ii) an offense under 18 U.S.C. § 924(c), there is a mandatory presumption “that no condition or combination of conditions will reasonably assure the appearance of the person as required and the safety of the community.” 18 U.S.C. § 3142(e)(3).

On May 9, 2021, SILVA, BRUCE MELVIN, and another member of Dub City (“CC-1”) committed a shooting against rival gang members at the corner of Jerome Avenue and East 177th Street in the Bronx, inside Dub City territory. After CC-1 instigated an altercation with the rival gang member, one of the rival gang members brandished a firearm and pointed it in the direction of CC-1 and MELVIN. MELVIN then took out his own firearm and fired multiple shots at that rival gang member while chasing him across Jerome Avenue. After MELVIN stopped pursuing the first rival gang member, MELVIN started to walk back across Jerome Avenue toward the bar and fired at least two more rounds at the second (unarmed) rival gang member. SILVA, who was five or six car lengths away from the shooting, took out a firearm of his own and fired it in the direction of the rivals. Evidence obtained from MELVIN’s Instagram account, pursuant to a search warrant, confirms that the shooting targeted members of rival gang “D-Block.” A screenshot of SILVA committing this shooting is included below, and two video clips of the shooting are attached as Exhibits B and C.



On October 14, 2021, SILVA and JORDAN BENNETT were involved in a shootout with another member of Dub City (“Target-1”), outside a bodega near the corner of Walton Avenue and East Tremont Avenue in the Bronx, in Dub City Territory. Target-1 walked southbound on Walton Avenue firing shots at SILVA and BENNETT. Rather than leave the scene, SILVA exited the vehicle, ran after Target-1 through a busy intersection, and fired his own gun at Target-1. BENNETT remained in the vehicle, drove down Walton Avenue, picked SILVA back up after SILVA shot at Target-1, and drove away with SILVA in the car, allowing SILVA to escape apprehension. A text message conversation between SILVA and another individual four days after the shooting, obtained from SILVA’s cellphone pursuant to a search warrant, confirms that SILVA shot at Target-1 during this encounter. This shootout occurred because of a dispute between SILVA, BENNETT, MELVIN, and Target-1 over a firearm. A video clip of this shooting is attached as Exhibit D.

In addition to the shootings, SILVA was involved in robberies, fraud, and drug trafficking in furtherance of the Dub City Enterprise. For example, on December 21, 2019, SILVA and BENNETT, armed with a firearm, violently robbed an individual of a necklace worth approximately \$19,000 outside a nightclub in Queens. A screenshot of that robbery is included below.



In addition, in or about July 2021, SILVA exchanged messages with MELVIN concerning a robbery they intended to commit with BENNETT. During this conversation, SILVA appeared to be directing MELVIN on what to do with the intended victim. He told MELVIN to “wait for the right moment” and confirmed that MELVIN and BENNETT had two firearms with them.

SILVA also has engaged in an extensive amount of fraud. His cellphone, which was reviewed pursuant to a search warrant, is replete with evidence of his fraudulent activity. SILVA engaged in several different schemes, including account take over schemes, check washing schemes, and aggravated identity theft. SILVA also participated in the drug trafficking conspiracy with other members of Dub City.

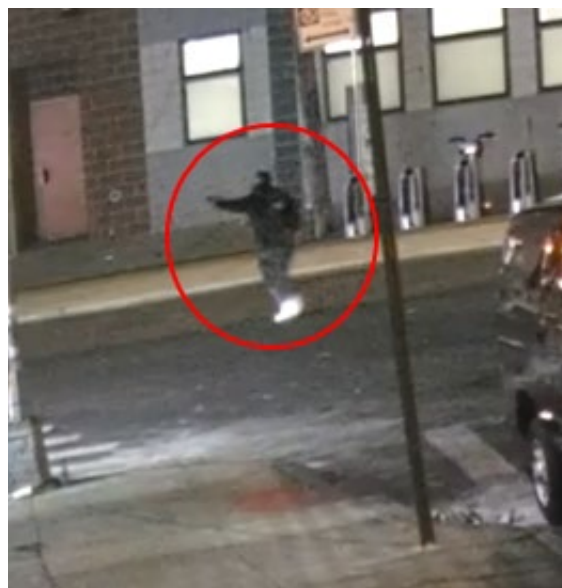
SILVA is currently being detained in connection with his felon in possession of ammunition charge. *See United States v. Bruce Silva*, No. 22 Cr. 347 (PGG) (S.D.N.Y.). Given his role as a leader of Dub City, his extensive use of violence, and his other criminal activity targeting innocent persons, SILVA undeniably poses a significant danger to the community. He also poses a significant flight risk given the lengthy mandatory minimum sentence that he faces and the overwhelming evidence of his guilt. Detention is appropriate for SILVA.

2. BRUCE MELVIN

BRUCE MELVIN was a violent enforcer for the Dub City Enterprise. He has engaged in numerous criminal acts in furtherance of the Dub City enterprise, including robberies, drug trafficking, fraud, and a substantial amount of violence. He is responsible for committing at least six shootings. On the current charges, MELVIN is facing a mandatory minimum sentence of 35 years' imprisonment.

MELVIN participated in at least six shootings in furtherance of the Dub City Enterprise, three of which are charged in the Indictment as attempted murders and assaults with a dangerous weapon in aid of racketeering.

As described in more detail above, MELVIN was involved in the May 9, 2021, shooting that took place in Dub City territory, on the corner of Jerome Avenue and East 177th Street in the Bronx. MELVIN fired multiple gunshots at one of the rival gang members while chasing him across Jerome Avenue. After MELVIN stopped pursuing the first rival gang member, he walked back across Jerome Avenue toward the bar and fired at least two more gunshots at the second rival gang member who was then standing (unarmed) on the corner opposite the bar. Two screenshots of MELVIN committing that shooting are included below. The one on the left shows the muzzle flash from MELVIN's gun.



On June 2, 2021, at approximately 5 p.m., MELVIN and an unidentified co-conspirator were involved in a daytime shootout with Richard Barnwell, himself a member of Dub City, and two other men in a heavily trafficked intersection inside Dub City territory. Barnwell and the other men were walking northbound on Walton Avenue towards East Burnside Avenue when MELVIN, then driving a silver Subaru, approached them aggressively and engaged them in a dispute. Barnwell ran away from the Subaru into the middle of a busy street, produced a firearm, and fired shots at the silver Subaru while it drove away. In response, the front passenger of the silver Subaru leaned out of the window and used a firearm belonging to MELVIN to return fire while MELVIN drove southbound on Walton Avenue.³ Two videos of the shooting are attached here as Exhibits E and F, and a screenshot of MELVIN's passenger shooting at Barnwell is included below.⁴

³ 9mm shell casings recovered at the scene of the shooting were a ballistics match for the shell casings recovered at the scene of the May 9, 2021, shooting committed by MELVIN, which is described in more detail above.

⁴ Approximately two months after the June 2, 2021, shooting, Barnwell was charged in this District with being a felon in possession of ammunition, in violation of 18 U.S.C. § 992(g).



On May 9, 2022, at approximately 4:50 p.m., MELVIN fired several gunshots at an individual named Nykem Alston—who is believed to be a member of the rival gang the Mac 10s—in front of 2090 Morris Avenue in the Bronx. Prior to the shooting, MELVIN and other members of Dub City, including SHADELL MCBRIDE, were playing a dice game in front of 2066 Morris Avenue, in Mac 10 territory. As MELVIN and others were leaving the dice game to go back to Dub City territory, they engaged in a physical altercation. After the physical altercation ended, MELVIN went back to Dub City territory, changed his clothes (from an all-pink sweatsuit to a grey sweatsuit), made his way back to 2066 Morris Avenue, and fired multiple gunshots at Alston, who was standing with other people in front of a courtyard at 2090 Morris Avenue. After MELVIN fired at Alston, Alston returned fired at MELVIN hitting a bystander who was injured but survived.⁵

Two videos of the shooting are included as Exhibits G and H, and two screenshots from the shooting are also included below. The image on the left shows MELVIN before the shooting, and the image on the right shows MELVIN during the shooting.

⁵ Alston was charged in *United States v. Alston*, 22 Cr. 517 (VSB), with being a felon in possession of ammunition.



MELVIN was also involved in the dispute that led to the October 14, 2021, shooting between SILVA, BENNETT, and Target-1, which is described in more detail above. MELVIN provided Target-1 with the firearm that was the cause of this intra-Dub-City dispute.

MELVIN committed an earlier shooting against other members of the rival gang the Mac 10s on Morris Avenue sometime before November 2021. MELVIN also went to the vicinity of East 180 Street and Monterey Avenue in the Bronx—territory claimed by a gang that is affiliated with the gangs “Sev Side” and “Third Side”—and committed a shooting there because of a dispute MELVIN had with members of those rival gangs.⁶

Finally, MELVIN has boasted to others about his extensive involvement in shootings in furtherance of Dub City. For example, on or about December 4, 2021, MELVIN and GABRIEL VALDEZ exchanged a series of voice notes over Instagram, which were obtained pursuant to a search warrant, during which MELVIN described himself, in effect, as an enforcer for Dub City.

MELVIN also participated in other criminal acts in furtherance of the Dub City Enterprise. MELVIN has participated in armed robberies with other members of Dub City. For example, in or about October 2021, MELVIN and BALLESTER, robbed another drug dealer of marijuana at gunpoint. MELVIN also has engaged in drug trafficking with other members of Dub City, including BENNETT, BALLESTER, and RODRIGUEZ. MELVIN has engaged in a substantial amount of fraud with other members of Dub City, including account takeover and check washing schemes. And MELVIN has provided firearms to other members of Dub City.

⁶ Our Office recently charged members and associates of the Sev Side and Third Side gangs with racketeering conspiracy. See *United States v. Perez et. al*, 23 Cr. 099 (LJL) (Sev Side); and *United States v. Rowson, et al.*, 22 Cr. 310 (PAE) (Third Side). This shooting does not appear to involve any of the defendants charged in those cases, but rather, concerns an offshoot of those gangs calling themselves “Rey Way” after Monterey Avenue.

Given his role as an enforcer for Dub City, his indiscriminate use of violence, and his other criminal activity, including as a source of firearms for other Dub City members, MELVIN unquestionably poses a significant danger to the community. He also poses a significant flight risk given the lengthy mandatory minimum sentence that he faces and the overwhelming evidence of his guilt. He must be detained.

3. JORDAN BENNETT

BENNETT took over leadership of Dub City from SILVA after SILVA was incarcerated. He has committed numerous criminal acts in furtherance of the Dub City Enterprise, including armed robberies, drug trafficking, and fraud. BENNETT also participated in the October 14, 2021, shooting described above. Currently, BENNETT faces a five-year mandatory minimum sentence.

BENNETT was involved in the October 14, 2021, shooting with SILVA, which is described in greater detail above. As already explained, the October 14 shootout occurred because of a dispute between SILVA, BENNETT, MELVIN, and Target-1 over a Dub City firearm. One day before the shooting took place, BENNETT tried to punch Target-1, and BENNETT and SILVA chased after Target-1. During the shooting BENNETT remained in the car while SILVA chased after Target-1, drove a few feet down Walton Avenue, picked SILVA back up after SILVA shot at Target-1, and drove away with SILVA in the car.

BENNETT also has committed at least two armed robberies with other members of Dub City including the December 21, 2019 violent robbery of a necklace worth approximately \$19,000 outside a nightclub in Queens described above. The victim of that robbery fought back, but SILVA and BENNETT threw him to the ground, wrestled with him, hit him several times, and stole his necklace. BENNETT also brandished a firearm during this robbery and placed it to the head of the victim to get him to comply.

Then, on January 9, 2020, BENNETT and two other co-conspirators robbed an individual of jewelry, two cell phones, and keys to a BMW outside of that victim's home in Queens. According to the victim, one of the men who robbed him pointed a firearm at him while the other man grabbed him by the shirt and punched him in the face.

BENNETT also employed other members of Dub City, including EMMANUEL PEREZ, GIOVANNI RODRIGUEZ, ELIJAH POUGH, and MELVIN, to help sell narcotics and to collect drug proceeds.

BENNETT also engaged in a substantial amount of fraud, including bank fraud, identity theft, account takeover, and check washing schemes, among other fraud, with other members of Dub City. For example, BENNETT exchanged WhatsApp messages with multiple unknown co-conspirators during which BENNETT agreed to purchase victims' personally identifying information, including social security numbers, driver's licenses, and dates of birth as well as victim's debit or credit cards complete with PINs. BENNETT's phone contains numerous photographs depicting stacks of cash, credit and bank cards in other people's names, blank and filled-in checks from various victims' bank accounts, and screenshots of check deposits made in

other people's bank accounts. The evidence also establishes that BENNETT organized other Dub City members including RODRIGUEZ, MELVIN, and PEREZ in committing fraudulent activity.

BENNETT has three prior felony convictions, including for robbery and weapons possession.

BENNETT is a leader of Dub City, and he must be detained. He participated in at least one shooting and two armed robberies in furtherance of the Dub City Enterprise. He organized drug dealing and fraud for Dub City and recruited other Dub City members to work with him to commit those crimes. He is a significant danger to the community. His five-year mandatory minimum sentence combined with the overwhelming evidence of his guilt and his ability to obtain ample funds through fraud, also creates a substantial risk of flight. If he were released, BENNETT would either continue to lead Dub City and victimize (and help others victimize) more innocent people through violence and fraud or flee from prosecution.

4. ELIJAH POUGH

ELIJAH POUGH is another violent enforcer for Dub City. He has committed several shootings in furtherance of the Dub City enterprise, two of which are charged in the Indictment as attempted murders and assaults with a dangerous weapon in aid of racketeering. He also has engaged in substantial narcotics activity. On the current charges, POUGH faces a twenty-five-year mandatory minimum sentence.

On March 16, 2021, POUGH was involved in a shooting on Dub City territory, in which he shot at another man, believed to be a rival gang member, who had ventured into Dub City territory. Surveillance footage shows POUGH following the man and then opening fire in the middle of the street as bystanders run for cover. A video clip of the shooting is included as Exhibit I, and below are screenshots from the surveillance footage:

*Screenshots from the Video of POUGH shooting at the intended target
while bystanders run for cover are on the following page*



Ten days later – on March 26, 2021 – POUGH and GABRIEL VALDEZ were arrested together, and law enforcement recovered a silver 9mm firearm from VALDEZ along with oxycodone pills, marijuana, and ziplock bags consistent with distribution. An NYPD ballistics analysis indicated that the firearm recovered from VALDEZ is the same firearm used in the March 16, 2021 shooting. Shortly after the March 16, 2021 shooting, and in the days later, other Dub City members shared videos in which rival gang members taunt POUGH about the shooting.

On August 12, 2021, as captured on surveillance video, POUGH fired multiple gunshots at Marvin Minott, then a Dub City member, in the vicinity of 1973 Walton Avenue, in Dub City territory, due to a dispute arising from Minott's violation of gang rules during a recent period of

incarceration. Minott pulled out a gun and tried to fire back at POUGH but was unsuccessful.⁷ Two video clips of the shooting are attached as Exhibit J and K, and a screenshot of POUGH firing shots at Minott out the window of a Black Mazda while others duck for cover, is below:



POUGH also engaged in substantial narcotics distribution for the gang. For example, NYPD surveillance videos frequently capture POUGH engaging in hand-to-hand narcotics sales outside of 6 East Burnside, the store controlled by ALZUBAIR SALEH.

Given POUGH's role as an enforcer for Dub City and his repeated use of gun violence, including around multiple innocent bystanders in broad daylight, he poses a significant danger to the community. He also poses a significant risk of flight given the lengthy mandatory minimum sentence that he faces and the overwhelming evidence of his guilt. He also must be detained.

5. SHADELL MCBRIDE

SHADELL MCBRIDE is another Dub City enforcer. He has engaged in two shootings in furtherance of Dub City as well as robberies, fraud, and drug trafficking. He also provides firearms to other members of Dub City. He is facing a mandatory minimum sentence of fifteen years' imprisonment.

MCBRIDE participated in at least two shootings in furtherance of the Dub City enterprise, one of which is charged as an attempted murder and assault with a dangerous weapon in aid of racketeering.

⁷ The following month, law enforcement searched Minott's apartment and recovered a privately manufactured firearm commonly referred to as a "ghost gun" and additional rounds of ammunition. On or about November 15, 2021, an Indictment was returned in this District charging Minott with being a felon in possession of ammunition.

On June 20, 2022, MCBRIDE robbed a member of the Crips at gunpoint, during which he shot the victim in the arm and stole the victim's watch off his wrist. Screenshots from the shooting, which show the struggle between McBride (left) and the Crips member (right) are included below. A video clip of the shooting is attached as Exhibit L.



In addition, MCBRIDE committed a shooting in furtherance of the Dub City enterprise in or about 2014. MCBRIDE pled guilty to a charge of criminal possession of a loaded firearm in connection with the 2014 shooting and served approximately three years in prison on that conviction.

MCBRIDE also committed armed robberies with other members of Dub City, including JUSTIN BALLESTER. For example, MCBRIDE (i) robbed someone of jewelry on Morris Avenue; (ii) robbed an individual that was selling Percocet on 183 Street and Walton Avenue; and (iii) robbed someone inside the bodega at Six East Burnside Avenue in Dub City territory.

In addition, MCBRIDE sold marijuana and Percocet as well as engaged in bank fraud and identity theft all in furtherance of the Dub City Enterprise.

MCBRIDE also obtained firearms from and provided firearms to other members of Dub City. For example, on June 19, 2022, a few hours before MCBRIDE committed the June 20, 2022, shooting described above, RODRIGUEZ asked MCBRIDE for a firearm.

MCBRIDE should be detained. Because of his role as another enforce for Dub City, his history of engaging in shootings and armed robberies, and his victimization of the community through drug trafficking and fraud, MCBRIDE poses a significant danger to the community. What is more, MCBRIDE already served time in prison for his role in a Dub City-related shooting, but

that prison sentence did not deter MCBRIDE from continuing to engage in gang-related violence. He also poses a significant flight risk given the lengthy mandatory minimum sentence that he faces and the overwhelming evidence of his guilt.

6. JUSTIN BALLESTER

JUSTIN BALLESTER has engaged in gun violence, armed robberies, and drug dealing in furtherance of the Dub City Enterprise. He also is known to carry firearms. He faces a mandatory minimum sentence of five years' imprisonment on the current charges.

BALLESTER was involved in at least two shootings in furtherance of the Dub City enterprise. First, as described above, BALLESTER, RODRIGUEZ, and MELVIN committed a shooting against members of a rival gang—the “Mac 10s”—on Morris Avenue sometime before November 2021. Second, BALLESTER committed another shooting in Dub City territory in or around December 2021.

BALLESTER also was involved in several armed robberies with other members of Dub City. For example, on September 4, 2017, BALLESTER and an individual named Jorge Colon, also a member of Dub City, committed a home invasion robbery of a male victim. BALLESTER used a female co-conspirator to set up the robbery. Colon was carrying a firearm during the robbery. Colon was convicted on charges related to this robbery and served five years in prison. BALLESTER was arrested for this conduct and his records with respect to this incident are sealed. Another example is BALLESTER commission of a gunpoint robbery for marijuana with MELVIN in or about October 2021.

BALLESTER is also heavily involved in trafficking narcotics in Dub City territory. For example, in or about May and June 2022, BALLESTER was the target of six undercover narcotics buys in Dub City territory. The drugs obtained from BALLESTER during those buys included crack, heroin, cocaine, and fentanyl. Each of those buys was audio and video recorded.

In addition to the shooting and armed robberies described above, BALLESTER regularly possessed firearms as well as had fellow defendant ALZUBAIR SALEH hold firearms for him on four or five occasions.

BALLESTER's use of violence—including his participation in shootings and armed robberies—as well as his rampant drug trafficking and his routine possession of firearms establish that he poses a significant danger to the community. He also poses a risk of flight because of the mandatory minimum sentence he faces and the overwhelming evidence of his guilt. BALLESTER remains at large, but when he is apprehended, he should be detained.

7. ALZUBAIR SALEH

SALEH makes money for Dub City and allows other Dub City members to use his bodega in furtherance of Dub City. SALEH also possessed his own firearm to protect his drug dealing. He faces a five-year mandatory minimum sentence.

On or about May 10, 2022, SALEH was arrested in front of his own bodega and found to be in possession of a loaded semi-automatic handgun. Communications from SALEH's phone also indicate that he was actively seeking firearms with other Dub City members. For example, on or about December 31, 2021, SALEH told BALLISTER, "Bro I am gonna need that tmr so I can switch and get the little pocket rocket [/] And then you can hold the other one." Later, on or about January 5, 2022, SALEH wrote "I need the shit ASAP . . . I am not playing [/] We cut some n[****] in the morning." Images of the firearm that SALEH was arrested with are included below.



SALEH also engaged in drug trafficking and facilitated the drug trafficking activities of other Dub City members. For example, SALEH sold Percocet and marijuana directly from the bodega (with the narcotics stored in a compartment behind the counter) and allowed other Dub City members to sell drugs inside and in front of the bodega. SALEH also opened another store out of which he sold marijuana and other narcotics. In or about March 1, 2023, the Government executed a search warrant at the second store during which law enforcement found a loaded 357 Magnum revolver inside of a fanny pack that appeared to belong to a store employee, large quantities of marijuana, paraphernalia associated with other drugs (such as crack and heroin), and evidence of an illegal gambling operation, including the green dice table, close circuit television, and a large empty safe.

In addition, SALEH, along with BALLESTER, planned and executed a robbery of cigarettes from someone who sold illegal cigarettes to SALEH, which SALEH then sold out of his bodegas.

SALEH's role as a facilitator of Dub City's criminal activity through his own purportedly legitimate business, his own narcotics activity, as well as his possession of, access to, and role in hiding firearms for the gang establish that SALEH poses a significant risk of danger to the community. His mandatory minimum sentence and the overwhelming evidence of his guilt also demonstrate that he presents a risk of flight. He must be detained as well.

8. GIOVANNI RODRIGUEZ, GABRIEL VALDEZ, and EMMANUEL PEREZ

GIOVANNI RODRIGUEZ, GABRIEL VALDEZ, and EMMANUEL PEREZ make money for the Dub City Enterprise and victimize the community by committing armed robberies,

selling drugs, and defrauding the innocent. They also are known to possess firearms in furtherance of their crimes. Under the Indictment, they each face five-mandatory minimum sentences.

RODRIGUEZ, VALDEZ, and PEREZ were involved in multiple gun point robberies on behalf of Dub City. For example, in September 2021, VALDEZ, RODRIGUEZ, and PEREZ robbed an individual at gunpoint who they claimed sold them “fake” Percocet pills, and took the victim’s phone and money. In addition, on August 8, 2019, PEREZ and another individual robbed a victim of multiple pairs of expensive Air Jordan sneakers worth approximately \$1,150, by luring the victim to Dub City territory at 1764 Walton Avenue in the Bronx. Then an unidentified perpetrator brandished a firearm while PEREZ fled with the merchandise. RODRIGUEZ and VALDEZ also have numerous social media posts about doing robberies together.

RODRIGUEZ, VALDEZ, and PEREZ also frequently engage in narcotics distribution and financial frauds, including account takeovers and check washing schemes, and carry firearms. For example, below is a screenshot of VALDEZ holding a firearm with a laser sight during a music video that promotes Dub City and threatens Dub City’s rivals as well as a screenshot of a firearm being recovered from VALDEZ in March 2021.



RODRIGUEZ, VALDEZ, and PEREZ pose a significant danger to the community. They have all engaged in armed robberies and are all known to possess firearms. They also victimize

the community through narcotics trafficking and fraud. Given their mandatory minimum sentence and the overwhelming evidence of their guilt, they also pose a risk of flight. All three must be detained.

Accordingly, for the reasons set forth above, and in light of the danger to the community and risk of flight, the Government respectfully submits that all of the defendants presented today must be detained pending trial.

Respectfully submitted,

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cc: All Counsel of Record (by ECF and email)
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